



Attorney's Docket No.:  
069547.0173

PATENT APPLICATION

1

TRANSMITTAL FOR U.S. PATENT APPLICATION  
UNDER 37 C.F.R. § 1.53(b)



**Mail Stop Patent Application**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the original patent application of:

Inventor: Thomas J. Daley et al.

Filing Date: January 29, 2004

For: SYSTEM AND METHOD FOR ROUTING A TRADING ORDER  
ACCORDING TO PRICE

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Enclosed are:

  X   Specification, Claims and Abstract (63 pages)

  X   Drawing(s) (9 Sheets of Formal)

  X   Signed Combined Declaration and Power of Attorney (3 pages)  
  X   Newly executed (original)

  X   An Assignment of the invention to eSpeed, Inc. (3 pages) is attached. A separate cover sheet (2 pages) in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of **\$40.00** pursuant to 37 C.F.R. § 1.21(h).

  X   Non-Publication Request (1 page)

  X   This Transmittal (2 pages)

  X   Information Disclosure Statement (1 page), Form PTO-1449 (1 page) with 4 attached references

  X   Certificate of Mailing

  X   Return Receipt Postcard

\_\_\_\_ Verified Statement ( \_\_\_\_ page)

Applicant is:

☒ Large Entity

\_\_\_\_ Small Entity

The accompanying application is:

☒ Original

\_\_\_\_ Continuation \_\_\_\_ Divisional \_\_\_\_ Continuation-In-Part

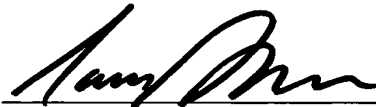
FEE CALCULATION (LARGE ENTITY)					FEE
	Number		Number Extra	Rate	<u>Basic Fee</u> \$770.00
Total Claims:	52	-20 =	32	X \$ 18.00	\$ 576.00
Independent Claims	3	- 3 =	0	X \$ 86.00	\$ 0.00
TOTAL FILING FEE =					\$ 1,346.00

☒ Enclosed is a check in the amount of \$1,346.00 for fees.

☒ Please charge any additional fees required by this paper to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Samir A. Bhavsar  
Reg. No. 41,617

Dated: January 29, 2004

☒ Customer No. **05073**

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Thomas J. Daley, et al.
	Title	SYSTEM AND METHOD FOR ROUTING A TRADING ORDER ACCORDING TO PRICE	
	Atty Docket Number		069547.0173

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.  
Attorneys for Applicants

January 29, 2004  
Date

  
Signature

Samir A. Bhavsar  
Typed or printed name  
Reg No. 41,617

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicants may rescind this nonpublication request at any time. If applicants rescind a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicants subsequently file an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicants must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ATTORNEY DOCKET NO.  
069547.0173

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Thomas J. Daley et al.  
Filing Date: January 29, 2004  
For: SYSTEM AND METHOD FOR ROUTING A TRADING ORDER  
ACCORDING TO PRICE

MAIL STOP PATENT APPLICATION  
Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Fee Transmittal Form (2 pages), a check in the amount of \$1,346.00, Nonpublication Request (1 page), Assignment Recordation Form (2 pages), Assignment (3 pages), check in the amount of \$40.00, Patent Application (63 pages), Formal Drawings (9 pages), Declaration and Power of Attorney (3 pages), Information Disclosure Statement (1 page), Form PTO-1449 (1 page) with 4 attached references, Baker Botts return postcard (1 postcard), and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 29th day of January 2004 and is addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Willie Jiles

Express Mail Receipt  
No. EV 324647512 US